

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

UNITED STATES OF AMERICA,

Plaintiff,

v.

FOO YUAN FOOD PRODUCTS
COMPANY, INC.,
HSING CHUANG (aka George Chuang),
and SUSAN CHUANG,

Defendants.

**DECLARATION OF
MICHAEL J. CASTIGLIONE**

Civil Action No.
18-CV-4689
(Vitaliano, J.)
(Pollak, M.J.)

I, MICHAEL J. CASTIGLIONE, declare as follows:

1. I am an Assistant United States Attorney in the United States Attorney's Office for the Eastern District of New York with responsibility for litigating this action. In this capacity, I am familiar with the files that this Office maintains for this action and the facts contained therein, and submit this declaration in support of the United States' motion for a default judgment and order pursuant to Federal Rule of Civil Procedure 55(a).

2. I submit this declaration pursuant to 50 U.S.C. App. § 521 to set forth facts regarding whether or not the defendants are in military service.

3. Plaintiff, the United States, has conducted an investigation to ascertain whether the above-named defendants are in military service. An investigation into whether the defaulting parties are in the military was conducted on March 5, 2019, after entry of default by the Clerk of Court, utilizing the Servicemembers Civil Relief Act website. *See* Individual Motion Rule of Judge Eric N. Viltano III(F); <https://scra.dmdc.osd.mil>. As a result of this investigation, I hereby state as follows.

4. Food Yuan Food Products Company, Inc. is a corporation and not a minor or incompetent person. Because this defendant is a corporation and not an individual, it therefore does not serve in the U.S. military.

5. On information and belief, Hsing Chuang (aka George Chuang) is not a minor or incompetent person, nor does he serve in the U.S. military. Attached hereto as Exhibit A is a certificate from the Department of Defense Manpower Data Center indicating that there are no records of any military service based upon entry of his name and birth date. *See* 50 U.S.C. App. §§ 501 *et seq.*; Individual Motion Rule of Judge Eric N. Viltano III(F); Servicemembers Civil Relief Act website (<https://scra.dmdc.osd.mil>).

6. On information and belief, Susan Chuang is not a minor or incompetent person, nor does she serve in the U.S. military. Attached hereto as Exhibit B is a certificate from the Department of Defense Manpower Data Center indicating that there are no records of any military service based upon entry of her name and birth date. *See* 50 U.S.C. App. §§ 501 *et seq.*; Individual Motion Rule of Judge Eric N. Viltano III(F); Servicemembers Civil Relief Act website (<https://scra.dmdc.osd.mil>).

Pursuant to 28 U.S.C. § 1746, I declare under penalty of perjury that the foregoing is true and correct.

Executed on this 21st day of March, 2019.

_____/s/

Michael J. Castiglione
Assistant U.S. Attorney